



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Director, Reference Information Center
Chief, Wireless Telecommunications Bureau

FROM: *DMA* Daniel M. Armstrong
Associate General Counsel

SUBJECT: *United States Telecom Association v. FCC & USA*, No. 02-1301. Filing of a
Petition for Review in the United States Court of Appeals for the District of
Columbia Circuit.

DATE: October 30, 2002

This is to advise you that, on October 1, 2002, the United States Telecom Association ("USTA") filed a Petition for Review, pursuant to 47 U.S.C. § 402(a), of the following order: *In the Matter of Petition of the State Independent Alliance and the Independent Telecommunications Group for a Declaratory Ruling that the Basic Universal Service Offering Provided by Western Wireless in Kansas is Subject to Regulation as Local Exchange Service*, Memorandum Opinion and Order, WT Docket No. 00-239, FCC 02-164 (released August 2, 2002).

USTA challenges the FCC's finding that Western Wireless' "Basic Universal Service" ("BUS") offering in Kansas is not subject to certain State regulations applicable to wireline local carriers because BUS is a commercial mobile radio service.

The Court has docketed this case as No. 02-1301. The attorney assigned to handle the litigation of this case is James M. Carr.